

NOTICE OF FORMAL COMPLAINT

October 13, 2004

Federal Election Commission
999 E Street, NW
Washington, DC 20463

MUR # 5570

2004 OCT 18 AM 11:00
FEDERAL ELECTION COMMISSION
OFFICE OF THE CLERK

Dear Commissioners:

I hereby file formal complaint against Sinclair Broadcast Group, Inc. of Baltimore, Maryland for violating federal law by using their corporate resources in a fashion that affects the federal election for the presidency. (This complaint in no way invalidates, suspends or amends my complaint of September 28, 2004—they both stand on their own as filed).

This complaint is directed toward the doings of Sinclair Broadcast Group, Inc. officials Fred Smith and Mark Hyman, and any and all corporate officials who have participated in or authorized the illegal use of corporate funds to affect the 2004 election for the presidency.


Federal law prohibits a corporation from using its resources in an effort to affect federal elections. In spite of this prohibition, Sinclair Broadcast Group, Inc. has been airing political spots on KGAN in Cedar Rapids and other TV stations throughout the country that blatantly disparage the presidential candidacy of John Kerry. Via their corporate resources and using Mark Hyman's office, I have heard them make the following comments over KGAN TV broadcast: "Simply put, John Kerry is a deeply flawed man who has had a lengthy political career free from serious scrutiny. But that has changed. While the partisan press has given him a free ride, those who know better, know better. John Kerry is a gundecking sea lawyer." And, "John Kerry may make a good president. Just not for the U.S." And, "It also casts serious doubt on the character of a man (Kerry) who wants to be Commander-in-Chief."

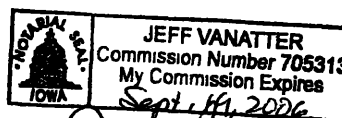
Not long ago these same officials at Sinclair Broadcast Group, Inc. (SBG) barred their ABC affiliates from airing program material produced by a legitimate news entity, *Nightline*. The ban stopped nothing more than the airing of a tributary reading of the names of brave American service men and women who have died in service to our country. The leadership at Sinclair Broadcasting Group, Inc. justified this prohibition by contending that ABC was disguising political statements as news content.

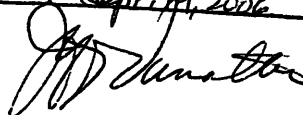
This is a corporation that in addition to owning 62 television stations also owns an investment group that holds substantial equity in various non-broadcasts properties. In conveying its political-attack messages Sinclair uses its Vice President for Corporate Relations, Mark Hyman. Hyman's duties are defined by the corporation to include developing strategic policy, managing Federal, state and local legislative and regulatory relations, public and media affairs, and community outreach and charitable activities.

In this political climate, perpetrating executives at SBG may think that they can do this because they can get away with it. Will the FEC show itself to be a 9/11 Commission, or can those who attempt to skirt the law count on cowardice and a couple partisan winks? I have done my part as best I can; it is now up to you.

I subscribe and swear that this complaint is issued by me and is signed herewith by me, Sam Osborne.


Sam Osborne
Box 147 — 654 East Main
West Branch, IA 52358





This document is subscribed and sworn before me on this 14th day of October, 20 04.

cc Sen. John McCain, Sen. Russell Feingold, The Des Moines Register, The Iowa City Press-Citizen, The Daily Iowan, Cedar Rapids Gazette, The Quad City Times, 60 Minutes, NBC News, ABC News, Newsweek, Time Magazine, The New York Times, The Washington Post, The Baltimore Sun, The LA Times, The Boston Globe, The Chicago Tribune, The Detroit Free Press, USA Today, The Philadelphia Enquirer, The Minneapolis Star Tribune, Univ. of Michigan Journal, The Daily Ilini, CNN News